

**Council on Human Rights  
Friday, February 4, 2005  
Council's Boardroom, 4<sup>th</sup> Floor  
Pocahontas Building  
1:00 p.m.**

**Council Members Present:** Jon D. Strother, Chairman; Charles Baugham; Douglas Boulter; David Drachsler; Tom Knox; Jagdish Singh; and Leslie Teets.

**Staff Present:** Rita R. Henderson, Director; Sandra D. Norman, Assistant Director; Gerald Snead, EEO Manager; and Timothy Wilson, Administration/Operations Manager.

**Council's Attorney Present:** Marty Parrish, Senior Assistant Attorney General

**Approval of Minutes**

The minutes from the September 15, 2004 meeting were adopted with the following addition: include the full name of the monthly reports instead of the abbreviated names in the minutes.

**Chairman's Report**

**House Bill 1750**

The chairman called the meeting to order and welcomed participants. A discussion was held on House Bill 1750. This bill was voted down in sub-committee and then again in the full committee on General Laws. During the meeting of the full committee, a former agency director, Roxie Kornegay, spoke against the bill. Following a brief discussion, the committee voted not to report the bill out of committee.

The chairman reiterated that if this bill had passed, the council in its current form would not exist. The board then discussed the following ways in which they could become proactive and take the lead in championing legislation during the upcoming session of the General Assembly that would strengthen the agency's powers:

- contact key legislators that will be needed to aid in this effort, and
- propose three (3) recommendations that could be introduced with the understanding that only one (1) or two (2) would be successful.

Board members suggested the following topics that should be studied for the purpose of crafting legislation that would enhance the council's authority and independence:

- subpoenaing witnesses
- strengthening the board's authority to make decisions
- awarding damages
- awarding relief

- imposing fines for ordinance violations
- issuing orders
- funding for additional staff and office equipment
- funding for off-site investigations
- funding to assist the creation of local human rights commissions
- funding for community outreach
- enlisting the support of the established local human rights commissions and the Equal Employment Opportunity Commission (EEOC)

A recommendation was also made to evaluate bordering states for the purpose of determining the relationships of their human rights agencies with their Attorney General's offices.

The board held an in-depth discussion on strengthening the agency's powers to subpoena witnesses and others. During the discussion, various scenarios involving situations where the power to subpoena would be effective were highlighted. The need for additional staff and the timeline for investigating cases and processing complaints were also discussed. It was noted that additional staff would decrease the turn-around time for processing and investigating complaints.

### **Director's Report**

Ms. Henderson wished the board members a happy New Year. She then complimented the entire staff for their work achievements. She described a recent agency head meeting that she attended in which she invited investigator Gerald Snead. She introduced Mr. Snead to the Secretary of Administration and the other agency heads and recognized him for his efforts to successfully mediate cases. Because of his efforts, in combination with the entire staff, the agency successfully mediated hundreds of thousands of dollars worth of monetary settlements during 2004.

Ms. Henderson thanked the Board for its support of the agency during the hearings on House Bill 1750. She also thanked the chairman, member Baugham, staff, Ms. Parrish, and Ms. Kornegay for their efforts during the 2004 legislative session. The agency tracked three (3) additional bills, House Bills 2116 and 1079, and Senate Bill 1258. Copies were mailed to the board members for review. She presented an overview of each bill and described their relationship to the agency. The outcome of these bills can be found online at the General Assembly's website, [www.virginia.gov](http://www.virginia.gov).

The council is included in the Governor's budget with the same appropriation approved from the last year. Sunday, February 6, 2005 is the deadline for legislators to submit amendments to the Governor's proposed budget.

Ms. Parrish provided the council with a DVD about "conflict of interest" as it relates to serving as an official on a public board in Virginia. The DVD is approximately one (1) and a half hours long. A recommendation was made to organize a training session on "conflict of interest" for the entire Board as soon as the new members are appointed by the Governor.

In concluding her report, Ms. Henderson polled the board to make sure that all present had turned in their Economic Interest forms to the Office of the Secretary of the Commonwealth. She then recognized Ms. Singh for having been selected by the Norfolk Field Office of the Federal Bureau of Investigations (FBI) to participate in its 2004 Leadership Forum held September 30, 2004.

### **Appeal Process**

The chairman distributed draft copies of the re-edited proposed appeal process for the agency. The process has been reviewed by council's staff and Ms. Parrish. The majority of the changes to the draft proposal were made as a result of the presentation about the Virginia Freedom of Information Act (FOIA) that was conducted during the September 2004 board meeting.

After reviewing this draft, Ms. Henderson proposed a recommendation regarding steps one (1) and two (2) that would enable the chairman to determine whether or not a case should be accepted for appeal. It was moved by member Boulter to incorporate the recommendation into the proposed draft and to accept the draft as amended. The motion was carried.

### **Resolution**

The resolution proposed by member Boulter at the September 2004 board meeting was discussed and defeated. Also Ms. Parrish was asked to identify state and local federal statutes that involve privacy issues.

The meeting adjourned at 3:24 p.m.

Submitted by,

Jon Strother  
Chairman

Timothy Wilson  
Recorder